

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL

February 25, 2002

The REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, February 25, 2002, at 7:00 p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman, Mr. Milton Farley, Councilmember District No. 1; Ms. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mr. Steve M. Vaughn, Councilmember District No. 5; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Henry L. Richardson, Councilmember District No. 8; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin..

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and copy of Agenda of this Regular Meeting of Berkeley County Council at the entrance of the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Councilmembers, the News media, and other interested citizens.

Chairman Rozier called the meeting to order; Councilmember Spooner gave the invocation; and Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

Chairman Rozier asked Council's pleasure on the Approval of Minutes for Public Hearings; Bills Numbered 01-65, 01-66, 01-67, 01-68, and 01-69 held on January 28, 2002; and Regular Council Meeting held on January 28, 2002.

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve the minutes. The motion passed by unanimous voice vote of Council.

No one signed up for Public Discussion at the beginning of the meeting.

Chairman Rozier stated that before there was a motion for an Executive Session, the Trident One-Stop Career Center has won an award and would like to make a presentation. Inadvertently, they were left of the agenda but without objection he would like to give them the opportunity to brief Council on what they do. He stated they do a fantastic job in training a lot of people and he asked Mr. Paul Connerty to come forward.

Mr. Paul Connerty stated he was the Director of the Trident One-Stop Career Center System. They have five facilities in the Trident Region: The HUD facility is in North Charleston; a satellite center in Berkeley and Dorchester Counties; two affiliate sites, one in Charleston on Lockwood Boulevard and one in Dorchester, the Goodwill Center. He stated they are working on another affiliate site that will be in the Cainhoy Area. Gene McQuery, who is

manager of the Berkeley One-Stop and a Board member, was present, as well as Chuck Cain, the former Chair of the Trident Workforce Investment Board; and Brian Kurtz, the Controller for Nucor.

Mr. Connerty stated the One-Stop Career Center System put together a project with Nucor Steel and Trident Technical College to recruit, train, test, and ultimately hire through Nucor Steel folks within the Trident region to go to work at Nucor Steel. That was a wonderful success for them as a system; over 1,700 people came through their system and he is directly responding to Nucor's recruitment. Out of 1,700 they tested over 800; and several of them continued in the process and about 65 of them were hired.

Mr. Connerty stated the purpose for his presentation was to share with Council that they took that model project and replicated it three different times with Nucor Steel improving as they went along. They were invited by the US Department of Labor to introduce the project on a national level through what's called, "The Journey To Perform Its Excellence Team Excellence Showcase Competition." He stated he was happy to say they won the competition and walked away with "Gold" if you will, in this case the "Crystal."

Mr. Connerty presented Chairman Rozier with the award received from the US Department of Labor, a Journey to Perform Its Excellence, and stated it's shared with the three counties. As a result of winning this particular competition they now represent the entire Workforce Excellence Network, the country's employment network system in the competition with the association for quality and participation that would be held in March.

Mr. Connerty thanked Council for their support through the Workforce Investment Board.

Mr. Brian Kurtz, Controller for Nucor Steel, stated when they went into this project a year and a half ago he didn't give it much chance at success. In bringing three organizations together and the ability for them to work as a team is a win-win situation for all involved. He stated, as for Mr. Connerty and his group at the Trident One-Stop Center, the professionalism and the organization was second to none. Nucor was very proud to be a part of the award process and they look forward to their competition in Las Vegas.

Chairman Rozier stated many of the Council Members might recognize that this organization was the old PIC, Private Industry Council that has become the Trident One-Stop Center, and they do a wonderful job. Not necessarily that all 1,700 of those folks were unemployed, the majority of them were employed but were looking to improve their lot. The most important part of this whole project is taking people that have the ability to produce more and train them to do so. Nucor and a number of the other industries have participated with the One-Stop and it's a constant process.

Councilmember Crosby congratulated the team and commended them for doing a great job.

Councilmember Richardson stated the One-Stop Center is doing an excellent job and certainly has a positive impact in the Cainhoy Community. He stated Mr. Kurtz works closely with Huger in accommodating some of the problems and he applauded them for their efforts.

Chairman Rozier stated an Executive Session was needed to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

It was moved by Councilmember Spooner and seconded by Councilmember Richardson to go into Executive Session for the reason stated. The motion passed by unanimous voice vote of Council.

Berkeley County Council went into Executive Session at 7:09 p.m. and returned at 7:46 p.m.

Mr. Stokes stated Berkeley County Council went into Executive Session to discuss matters as stated in the motion; no formal action was taken.

Chairman Rozier read the Bills for Third Reading as follows:

THIRD READINGS

“BILL NO. 01-70, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #141-00-02-079.”
(CP& CP, LLC)

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve **Bill No. 01-70** for Third and final Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-02-07 is attached to these Minutes.)

“BILL NO. 01-71, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #178-00-03-005.”
(James and Arlene Stringer)

It was moved by Councilmember Pinckney and seconded by Councilmember Richardson to approve **Bill No. 01-71** for Third and final Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-02-08 is attached to these Minutes.)

Councilmember Mims asked without objection that the Bills for Second Reading be read by title only.

Chairman Rozier read the Bills for Second Reading as follows:

SECOND READINGS

“BILL NO. 02-01, THE FOURTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH CAROLINA, SOLID WASTE SYSTEM REVENUE BOND, SERIES 2002, IN THE PRINCIPLE AMOUNT OF \$2,650,000; AND OTHER MATTERS RELATING THERETO.”

“BILL NO. 02-02, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #196-13-00-039.”
(Ralph and Linda Haynes)

“BILL NO. 02-03, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #242-02-00-033 AND 242-02-00-034.” (Thelma H. Phillips)

“BILL NO. 02-04, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #244-11-02-001, 002, AND 032.” (Kenneth McCoy)

It was moved by Councilmember Farley and seconded by Councilmember Mims to approve **Bill Nos. 02-01, 02-02, 02-03, and 02-04** for Second Reading. The motion passed by unanimous voice vote of Council.

Chairman Rozier stated there were four Bills for First Reading and explained that on Bills for First Reading there is no vote or discussion.

FIRST READINGS:

“BILL NO. 02-05, AN ORDINANCE TO AMEND ORDINANCE NO. 01-6-19, ADOPTED JUNE 25, 2001, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS AND ALLOCATIONS THEREOF WITHIN THE 2001-2002 BUDGET FOR BERKELEY COUNTY; AND OTHER MATTERS PERTAINING THERETO.”

“BILL NO. 02-06, AN ORDINANCE AUTHORIZING BERKELEY COUNTY, SOUTH CAROLINA TO AMEND AND CLARIFY CERTAIN SECTIONS OF THE FILOT DOCUMENTS (AS SUCH TERM IS DEFINED HEREIN) WITH CORNING INCORPORATED.”

“BILL NO. 02-07, AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE TRANSFER OF AUTHORITY FOR CONDUCTING MUNICIPAL ELECTIONS IN THE CITY OF HANAHAN TO THE BERKELEY COUNTY VOTER REGISTRATION AND ELECTION COMMISSION; TO DEFINE THE POWERS, DUTIES AND RESPONSIBILITIES ASSUMED BY THE BERKELEY COUNTY VOTER REGISTRATION AND ELECTION COMMISSION FOR THE CONDUCT OF MUNICIPAL ELECTIONS IN THE CITY OF HANAHAN; TO PROVIDE FOR REIMBURSEMENT OF ALL COSTS AND EXPENSES INCURRED BY THE BERKELEY COUNTY VOTER REGISTRATION AND ELECTION COMMISSION IN THE CONDUCT OF SUCH MUNICIPAL ELECTIONS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.”

“BILL NO. 02-08, AN ORDINANCE AMENDING BERKELEY COUNTY PROCUREMENT ORDINANCE NUMBER 97-4-18, ADOPTED APRIL 29, 1997, IN REGARD TO NONEXPENDABLE SUPPLIES AND OTHER MATTERS RELATING THERETO.”

RESOLUTIONS:

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2001-2002 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Councilmember Vaughn and seconded by Councilmember Farley to adopt the Transfer Resolution as stated. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-05 is attached to these Minutes.)

“RESOLUTION PROVIDING FOR THE DISPOSITION OF SURPLUS PROPERTY OF BERKELEY COUNTY.”

It was moved by Councilmember Vaughn and seconded by Councilmember ~~Vaughn~~ Spooner (corrected 3/25/02) to adopt the Resolution as stated. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-06 is attached to these Minutes.)

“RESOLUTION AUTHORIZING BERKELEY COUNTY WATER & SANITATION AUTHORITY TO COMPLETE, EXECUTE AND SUBMIT AN APPLICATION TO THE STATE AUTHORITY FOR A LOAN FROM THE FUND IN THE AMOUNT OF APPROXIMATELY \$1,668,200 PLUS CAPITALIZED INTEREST IF ANY, TO FINANCE THE COSTS OF REHABILITATION OF TRUNK SEWER ON BRANDYWINE BOULEVARD AND RED BANK ROAD.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adopt the Resolution as stated. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-04 is attached to these Minutes.)

“RESOLUTION AUTHORIZING THE COUNTY SUPERVISOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE VARIOUS RURAL FIRE DEPARTMENTS FOR FIRE PROTECTION SERVICES THROUGHOUT THE COUNTY.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to authorize the County Supervisor to negotiate and execute a contract with the various Rural Fire Departments.

Councilmember Davis asked does the fire departments get a flat fee for homes? Chairman Rozier stated, yes. Councilmember Davis asked what were they going to negotiate? Chairman Rozier stated it's not only the fee but also, the terms of the contract. Councilmember Spooner asked was there a difference in this contract compared to last year's? Chairman Rozier stated there was no appreciable difference.

The vote on the negotiation of the contract with the Rural Fire Departments was suspended until a copy of the contract was made available to Council.

Chairman Rozier stated that without objection Mr. Hehn would address the USDA Loan Resolution pertaining to the Macedonia Water Project.

Mr. Hehn stated they received a call from Rusty Craven on February 8 indicating they were going to deliver the letter of conditions for the Macedonia Project. On February 11 at the Special Meeting, Council voted on the Resolution. However, the Letter of Conditions was delivered today as scheduled and the attachment is actually dated February 25. Mr. Hehn stated he is asking that Council readopt the same Loan Resolution as on February 11. He stated everything is particular and has to be exactly right when you borrow \$3,390,000.

It was moved by Councilmember Davis and seconded by Councilmember Spooner to adopt the USDA Loan Resolution for water system for Macedonia Water Project. The motion passed by unanimous voice vote of Council.

REPORT FROM STANDING COMMITTEES:

COMMITTEE ON FINANCE, Councilmember Steve M. Vaughn, Chairman.

Councilmember Vaughn stated the Committee met on February 18 and earlier this evening and all matters before them have been taken care of on tonight's agenda.

COMMITTEE ON LAND USE, Councilmember Charles E. Davis, Chairman.

Councilmember Davis stated the Committee met on February 18 and all matters before them have been taken care of on tonight's agenda.

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Councilmember William E. Crosby, Chairman.

Councilmember Crosby stated the Committee met on February 18 and earlier this evening and several of the matters before them have been taken care of.

Councilmember Crosby stated that Frank Carson, Berkeley County Engineer and Public Works Director, presented the Committee with information in regard to National Pollution Discharge Elimination System Storm Water Regulations. (No action was required)

It was moved by Councilmember Crosby on direction of the Committee to approve the bid for a Mini Excavator from Bobcat of Charleston in the amount of \$28,774.00. (No Second Required) The motion passed by unanimous voice vote of Council.

It was moved by Councilmember Crosby on direction of the Committee to approve the following bids in regard to the elimination of the Hanahan Waste Water Treatment Plant:

CONTRACT I - (Pumping Station) – Seaside Utilities, Inc.,
\$ 898,761.10.

CONTRACT II - (Force Main that crosses Goose Creek) – Allied
Construction, Company - \$353,168.00.

CONTRACT III - (Force Main from river crossing to the gravity section
of the line) – R. H. Moore, Co., Inc. \$724,497.50.

CONTRACT IV - (Gravity Sewer Line that crosses Red Bank Road and
Ties into Pumping Station No. 1) – Seaside Utilities,
Inc., \$463,669.40.

CONTRACT V - (Clarifier at Waste Water Treatment Plant) – Good
Water, Inc., \$1,891,000.

The Total amount of the Five Contracts is \$4,331,096.10. (No Second Required.)

The Motion passed by majority vote of Council with Councilmember Vaughn voting
“Nay.”

COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Councilmember Milton Farley, Chairman.

Councilmember Farley stated the Committee met on February 11 and all matters before them have been taken care of on tonight's agenda.

COMMITTEE ON WATER AND SANITATION, Councilmember Henry L. Richardson, Jr., Chairman.

Councilmember Richardson stated the Committee met on February 11, and several of the matters before them have been taken care of on tonight's agenda.

Councilmember Richardson stated that Marc Hehn, Director, Berkeley County Water and Sanitation Authority, provided the Committee with information in regard to the partnership negotiations with the Charleston Public Works Commission. (No action was required.)

It was moved by Councilmember Richardson on the direction of the Committee to approve the Clemson University Coastal Water Quality Initiative Partnership Agreement. (No Second Required)

The motion passed by unanimous voice vote of Council.

It was moved by Councilmember Richardson on the direction of the Committee to approve an amendment to the Service Area Agreement with the Moncks Corner Public Works. (No Second Required)

The motion passed by unanimous voice vote of Council.

COMMITTEE ON PLANNING AND DEVELOPMENT, Councilmember Judith K. Spooner, Chairman.

Councilmember Spooner stated the Committee met on February 11 and all matters before them were taken care of prior to tonight's meeting.

COMMITTEE ON COMMUNITY SERVICES, Councilmember Judy C. Mims, Chairman.

Councilmember Mims stated the Committee met on February 11 and on the direction of the Committee she moved to deny endorsement to the Humanities Foundation, Inc., in regard to the housing project proposed for Red Bank Road. (No Second Required)

The motion to deny endorsement to the Humanities Foundation, Inc., passed by majority voice vote of Council with Councilmembers Pinckney and Richardson voting "Nay".

There was no report from the **COMMITTEE ON HUMAN SERVICES**, Councilmember Caldwell Pinckney, Jr., Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Councilmember Mims nominated Moses Brown to the Spier's Landing Commission.

Councilmember Pinckney nominated Bo Beauchemin to the RTMA Association.

Councilmember Vaughn nominated James H. Rozier, Jr., and Judith K. Spooner to the Council of Governments.

The Nominations passed by unanimous voice vote of Council.

There was no **CORRESPONDENCE**.

UNFINISHED BUSINESS

Chairman Rozier directed Council's attention to the RESOLUTION AUTHORIZING THE COUNTY SUPERVISOR TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE VARIOUS RURAL FIRE DEPARTMENTS FOR FIRE PROTECTION SERVICES THROUGHOUT THE COUNTY."

Mr. Stokes distributed copies of the Fire Contract, and pointed out that there are 26 contracts, one for each of the rural departments but they are all the same.

Councilmember Vaughn asked what were the changes?

Mr. Stokes stated provisions were added in Item 6 that were placed in the bylaws approved by Council in the past, but were placed in the proposed contract this year to clear up any misconceptions or questions. One was, "the election of the members of the Board of Directors would be from the Registered Voters within the geographic district. The Fire Department would restrict candidates for the Board of Directors to residents within the geographic district", which was previously approved by Council. The department agreed to respond to fire and 911 calls for purposes of fire prevention, suppression, and protection within a neighboring district as if a mutual aid agreement was in existence where personnel were available."

Chairman Rozier stated they originally left out "for fire calls" and had some confusion thinking they were trying to get firemen to respond to wrecks. Councilmember Spooner asked did the fire department respond if there was threat of a fire at a wreck? Chairman Rozier stated he assumes firemen respond to fire calls at a wreck. Councilmember Spooner asked was there a difference? Mr. Stokes stated the dispatch goes out depending upon the incident to the Sheriff's Department and where deemed necessary by the dispatcher to the particular fire department. If there is a call in the neighboring district and they need help and no one is available, then the next door neighbor is going to respond to that call as if it were theirs'. Mr. Stokes continued, "Presentation of the budget is spelled out in the contract; and the fire department would have a yearly audit conducted, which would be performed by an individual or firm approved by County Council."

Councilmember Spooner stated it would be nice if all of the budgets were done consistently. She knows that every department doesn't necessarily have the same needs but if all of the items were listed so the department could put what applied to it, it would be so much easier to look at a budget or audit. Mr. Stokes stated the Fire Board could make a recommendation that they use the same line item numbers similar to what the County uses.

Councilmember Richardson asked that if the audit were performed by a firm or individual, at what point would Council approve the individual or firm. Mr. Stokes stated the

fire department would need to bring that to the Board who in turn would make the recommendation to Council for approval or disapproval.

Chairman Rozier stated they may be treading on grounds they shouldn't be on. The Board is elected by the fire department to run it and he doesn't know exactly how much authority they want to exert. He stated County Council does not manage the fire department; the Board that is elected by the people manages the fire department.

Councilmember Richardson stated he agrees with Chairman Rozier especially in the last paragraph that says, "individual or approved firm."

Councilmember Vaughn asked that the last paragraph be changed to say, "by the Fire Board" instead of "by County Council." Mr. Stokes stated that provision was inserted based on the last meeting at which some Councilmembers seemed to indicate that it would be appropriate for County Council to consider including this provision in the contract.

Chairman Rozier stated he hadn't heard anything back from the fire departments and if there were any problems he would certainly like to get some input. He asked the firemen present whether they had some problems? Some of them responded they did have problems.

Mr. Stokes stated there was one other item, which says, "The fire departments would not obtain any federal or insured loans without the prior approval of County Council. Chairman Rozier asked why was that provision inserted? Mr. Stokes stated Council would make that decision if the fire departments obtain new federal loans than their servicing district or area in which they serve cannot be restricted by annexation or the formation of a countywide department by County Council without paying them for what they would lose in servicing that loan. Chairman Rozier asked why would they have a problem with their getting a loan? Mr. Stokes stated that would be up to Council to make that decision. Councilmember Vaughn stated that if the city has annexed that property and the loan is still due and they lose the customer base Chairman Rozier stated they have the same thing with the water and sewer lines. If a city annexes out of the water and sewer lines, that's a pretty good protection method. He stated he wouldn't have any problem with the fire department getting a federal loan, which would give them protection against having their customer base taken away for annexation. Mr. Stokes stated, as long as Council is aware that this same protection is afforded County Council by that provision.

Mr. Daryl Gregory of 229 Trestlewood Drive, Summerville, stated he was Chairman for the Board of Directors for the Pine Ridge Fire Department and has been with them for about 10 years. He stated he has a couple of issues with the contract and the special provisions, one having to do with the audits. He stated they have had federal loans for the past 11 years. The loans were not to protect their district as far as annexation is concerned but to provide new equipment and housing for them when the banks would say no because their budgets were too small. Mr. Gregory stated they learned about the federal statute that protects them when Summerville started to annex portions of their business district on the other side of the interstate. They were successful in reaching a settlement agreement with Summerville and Goose Creek.

He stated that sets their district so they know that they could exist 10 or 15 years later. It doesn't matter whether somebody wants to purchase the Pine Ridge Fire Department but they don't want to go bankrupt because their service area was taken by the city.

Councilmember Vaughn stated that Summerville, Goose Creek and Moncks Corner would certainly work with him because they would want them near. Did they have much trouble with that? Mr. Gregory stated they didn't have any trouble with Summerville, but it took them a year longer to settle with Goose Creek. For instance, if they annex Devon Forest, which is a subdivision they service. The fire fees are currently \$50 but if a city comes in and applies tax, the fire portion of that city tax is much more than \$50. The problem is, when the city annexes it, who is the fire protector? They still need their money. He stated they are the primary fire protector for their district; after it gets annexed, they are still the primary fire protector. They have agreed to ask Goose Creek to come in on a mutual aid basis or if their tones drop out and they don't respond in three sets, then 911 automatically dispatches the City of Goose Creek instead of Caromi or Whitesville. Mr. Gregory stated they had to protect themselves; they saw the encroachment and the fees dwindling mainly on the Summerville side. Summerville basically said, "you're right, we understand the law and will pay you for that", and will put it in writing that they do not intend on annexing any further across the interstate.

Chairman Rozier asked if they were saying that a person or firm approved by the Board or the fire department should do the audit? Mr. Gregory stated the problem is, that it's not necessarily Pine Ridge or the larger fire departments, but the smaller fire departments are not going to be able to afford that. He stated they pay their auditor between \$3,000 to \$4,000 a year to handle their accounting. Councilmember Vaughn stated it doesn't have to be an auditing firm but an outside individual. Mr. Gregory asked why would County Council get involved? Councilmember Vaughn stated, "We don't want to get involved."

Chairman Rozier advised that County Council recommend an audit to the Board of the Fire Department and that that Board approve federal loans, also.

Councilmember Pinckney stated there has to be accountability because fire departments exist based on taxpayers' money.

Mr. Gregory stated the fire departments are contracted through County Government, which makes their paperwork public knowledge. He asked what was the stipulation of the previous contract? Mr. Stokes stated he does not recall what was in the previous contract other than the budget had to be submitted to the Board, then to County Council.

Chairman Rozier asked Mr. Gregory would he have a problem with an audit presentation other than they would have to choose a particular firm or person to do it? Mr. Gregory stated a CPA is a CPA and he didn't see any reason why they should have to submit a request to have their accountant approved.

The motion to authorize the county supervisor to negotiate and execute a contract with the various rural fire departments for fire protection services throughout the county passed by

unanimous voice vote of Council. (A copy of Resolution No. R 02-08 is attached to these Minutes.)

Chairman Rozier stated that our Redistricting Plan has been approved without comment.

There was no **NEW BUSINESS**.

Chairman Rozier announced that the MARCH Regular Meeting of Berkeley County Council will be held on Monday, March 25, 2002, in the HANAHAN MUNICIPAL COMPLEX COURT ROOM AT 1255 YEAMANS HALL ROAD, HANAHAN, SC, AT 7:00 P.M.

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adjourn. The motion passed by unanimous voice vote of Council.

The Meeting adjourned at 8:25 for Execution of Documents.

Chairman Rozier reconvened the meeting at 8:35 for Public Discussion.

PUBLIC DISCUSSION

Ms. Dianne Dixon of 1612 Windsor Lane stated all of the concerns are coming out in the media about what is going on at the shelter. The people at the shelter should be accountable and she has proposed in her letter an outside group, such as named in the newspaper that has a lot of experience in doing audits of shelters, personnel and animal care, be brought to that shelter and find out exactly what is going on. They need to find out what the needs of the animals are, what needs to be done, whether it's personnel, the building, etc. Mr. Dixon stated there has to be a better way to handle the homeless animals in Berkeley County.

Councilmember Davis asked what auditing firm was she referring to? Ms. Dixon stated there is a lady that runs the Beaufort County Animal Shelter and has 20 years experience in shelters, auditing, veterinarians, trained personnel, to see what the needs of the shelter are. She stated the public wants to know what's going on with these animals at this point. It's been back and forth about who to blame and what to blame. This would be clear and concise having an outside audit group to go in and say, "this is what's wrong. Whatever it is we've fixed it for the animals." Ms. Dixon stated an outside source that has experience in this can come in and tell us what needs to be done as responsible people for these homeless animals to help them; this is what she is asking of Council tonight. She stated it can't continue back and forth. When the original proposal came out, the SPCA said they could handle the shelter for three years staying on the \$15,000 month. Either they didn't correctly go in and assess the situation or didn't see the need of the hundreds of animals.

Chairman Rozier stated they never said to him they could do it for three years on \$15,000. Ms. Dixon reiterated an independent group could come in and tell the public what is wrong and what needs to be done. The animals are suffering.

Councilmember Davis asked did they charge for the audit? Ms. Dixon stated she didn't know.

Chairman Rozier stated that if Council directs him to check it out, he would be happy to do that.

Ms. Dixon stated the public would really like to see a response to this other than what's printed in the paper.

Chairman Rozier stated the animals need more responsible people that own them; and we need to educate the County, State and Country with people getting animals that are not responsible to take care of them. Ms. Dixon stated the reality is that there is always going to be homeless animals, and they need help.

The Public Discussion ended at 8:40 p.m.

S/Barbara B. Austin
Clerk of County Council

March 25, 2002
Date Approved

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on Monday February 25, 2002, is scheduled to begin at 7:00 P.M., in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

APPROVAL OF MINUTES:

Public Hearings Bills Numbered: 01-65, 01-66, 01-67, 01-68 and 01-69 January 28, 2002
Regular Council Meeting January 28, 2002

PUBLIC DISCUSSION - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

THIRD READING:

1. **Bill No. 01-70**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: CP & CP, LLC, Peggy Lane, Moncks Corner, TMS #141-00-02-079 (3 acre portion, 19.70 acres total), from F-1, Agricultural District, to GC, General Commercial District. Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 01-71**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: James and Arlene Stringer, 2213 State Road, Moncks Corner, TMS #178-00-03-005, from GC, General Commercial and F-1, Flexible District to F-1, Flexible District. Council District No. 7.

[Recommended by Committee on Land Use]

SECOND READING:

1. **Bill No. 02-01**, The Fourth Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Solid Waste System Revenue Bond, Series 2002, in the principal amount of \$2,650,000; and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

2. **Bill No. 02-02**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Ralph and Linda Haynes, 113 Lisenby Drive, Moncks Corner, TMS #196-13-00-039 (1 acre portion, 1.7 acres total), from GC, General Commercial District, to R-2, Manufactured Residential District. Council District No. 4.

[Recommended by Committee on Land Use]

3. **Bill No. 02-03**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Thelma H. Phillips, Treeline Drive, Ladson, TMS #242-02-00-033 (1.85 acres), and Mary O. & Donald N. Williams, Treeline Drive, Ladson TMS #242-02-00-034 (1.80 acres), from R-2, Manufactured Residential District, to GC, General Commercial District. Council District No. 5.

[Recommended by Committee on Land Use]

4. **Bill No. 02-04**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Kenneth McCoy, 718 and 723 Old Back River Road, Goose Creek, TMS #244-11-02-001, 002, and 032 (8 acres total), from R-2, Manufactured Residential District, to R-2R(F), Mobile Home Farm Residential District. Council District No. 3.

[Recommended by Committee on Land Use]

FIRST READING:

1. **Bill No. 02-05**, an Ordinance to amend Ordinance No. 01-6-19, adopted June 25, 2001, to provide for supplemental appropriations and allocations thereof within the 2001-2002 budget for Berkeley County; and other matters pertaining thereto.

[Recommended by Committee on Finance]

2. **Bill No. 02-06**, an Ordinance authorizing Berkeley County, South Carolina to amend and clarify certain sections of the FILOT documents (as such term is defined herein) with Corning Incorporated

[Recommended by Committee on Finance]

3. **Bill No. 02-07**, an Ordinance authorizing the acceptance of the transfer of authority for conducting municipal elections in the City of Hanahan to the Berkeley County voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Berkeley County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Hanahan; to provide for reimbursement of all costs and

expenses incurred by the Berkeley County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto.

[Recommended by Committee on Community Services]

4. **Bill No. 02-08**, an Ordinance amending Berkeley County Procurement Ordinance Number 97-4-18, adopted April 29, 1997, in regard to nonexpendable supplies and other matters relating thereto.

[Recommended by Committee on Public Works and Purchasing]

RESOLUTIONS:

1. RESOLUTION providing for the Transfer of Funds in the 2001-2002 Berkeley County Budget for County Purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. RESOLUTION providing for the disposition of surplus property of Berkeley County.

[Recommended by Committee on Public Works and Purchasing]

3. RESOLUTION authorizing Berkeley County Water & Sanitation Authority to complete, execute and submit an application to the State Authority for a loan from the fund in the amount of approximately \$1,668,200 plus capitalized interest if any, to finance the costs of rehabilitation of trunk sewer on Brandywine Boulevard and Red Bank Road.

[Recommended by Committee on Water and Sanitation]

4. RESOLUTION authorizing the County Supervisor to negotiate and execute a contract with the various rural fire departments for fire protection services throughout the county.

[Recommended by Committee on Justice and Public Safety]

REPORTS FROM STANDING COMMITTEES

1. Committee on Finance.
Councilmember Steve M. Vaughn, Chairman.

2. Committee on Land Use.
Councilmember Charles E. Davis, Chairman.

3. Committee on Public Works and Purchasing.
Councilmember William E. Crosby, Chairman.

Recommendations:

1. Mini Excavator
2. Hanahan WWTP Elimination project
Contract I
Contract II
Contract III

Contract IV
Contract V

4. Committee on Justice and Public Safety.
Councilmember Milton Farley, Chairman.
5. Committee on Water and Sanitation.
Councilmember Henry L. Richardson, Jr., Chairman.
Recommendations:
 1. Clemson University Coastal Water Quality Initiative Partnership Agreement.
 2. Moncks Corner Public Works – Amendment to Service area agreement.
6. Committee on Planning and Development.
Councilmember Judith K. Spooner, Chairman.
7. Committee on Community Services.
Councilmember Judy C. Mims, Chairman.
Recommendation:
Humanities Foundation, Inc.
8. Committee on Human Services.
Councilmember Caldwell Pinckney, Jr., Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

1. BERKELEY COUNTY LIBRARY BOARD
2. CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
3. HOUSING BOARD OF ADJUSTMENTS AND APPEALS
4. SANGAREE SPECIAL TAX ADVISORY COMMISSION
5. SPECIAL FIRE TAX DISTRICT ADVISORY BOARD
6. SPIERS LANDING COMMISSION
7. WATER AND SANITATION APPEALS BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

The 2002, Regular Meeting of Berkeley County Council will be held on MONDAY MARCH 25, 2002, in the HANAHAN MUNICIPAL COMPLEX COURT ROOM AT 1255 YEAMANS HALL ROAD, HANAHAN, S. C., at 7:00 P.M.

ADJOURNMENT

EXECUTION OF DOCUMENTS

PUBLIC DISCUSSION

February 20, 2002
Barbara B. Austin
Clerk to County Council